

REMARKS

The Office Action dated November 7, 2003 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 3, 9, 10, 12, 13, 14, 15, 16, 17, 20, 24, 25, 26, 27, and 28 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claims 1-28 are presently pending in the subject application and are respectfully submitted for consideration.

The Office Action indicates that the Information Disclosure Statement filed on August 3, 2001, complies with MPEP §609 and has been placed in the application file. Applicants, however, note that an initialed PTO Form 1449 was not attached to the Office Action received by applicants' representative. Applicants respectfully request that the Examiner provide an initialed copy of the PTO Form 1449 filed with the Information Disclosure Statement for applicants' record.

The Office Action also requires the applicants to furnish the formal drawings in response to this Office Action. Applicants submit formal drawings for Figures 1-7b in response to the Office Action. Applicants note that the formal drawings are timely submitted to avoid abandonment of the application.

Claims 1-28 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that applicants regard as the invention. The Office Action alleges that insufficient

antecedent basis exists for various limitations in the claims. Applicants have amended the claims to provide proper antecedent basis for these limitations. Applicants respectfully request that the Examiner withdraw the indefiniteness rejection of claims 1-28.

Claims 1-28 were objected to because of informalities. Applicants have amended the claims to correct the informalities. Thus, the objection is rendered moot.

Claims 1-28 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,356,915 (*Chtchetkine et al.*) The Office Action took the position that *Chtchetkine* disclosed all the elements of the claimed invention, but the Office Action concedes that *Chtchetkine* "does not disclose the use wherein 'said custom filesystem being positioned to have priority over said main filesystem, in that a process manager will attempt to address requests on said custom filesystem prior to placing said request on said main filesystem.'" The Office Action, however, alleges "it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to modify *Chtchetkine*'s system, wherein the filesystem provided therein would incorporate the use of prioritizing the custom filesystem in that a process manager will attempt to address requests on said custom filesystem prior to placing said request on said main filesystem in the same conventional manner as disclosed by" *Chtchetkine*. Applicants respectfully submit that the presently pending claims recite subject matter that is neither disclosed nor suggested in the cited reference.

Claim 1, upon which claim 2 is dependent, recites, in a computer system having a memory for storage of files and a main filesystem for accessing the files, the improvement of adding a custom filesystem. The custom filesystem includes a custom hierarchical structure of files and folders, providing access to selected software applications based on a set of attributes for the computer system. The custom filesystem also includes a set of links between the custom hierarchical structure of files and folders, and the locations of corresponding real files in the main filesystem. The custom filesystem includes being positioned to have priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the request on the main filesystem.

Claim 3, upon which claims 4-13 are dependent, recites a method of preparing a custom filesystem for a computer system having a main filesystem. The method includes generating and storing a file of attributes for the computer system. The method also includes selecting the required software applications from available software applications in accordance with the attributes. The method also includes linking the selected software applications to the custom filesystem. The method also includes positioning the custom filesystem to take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem.

Claim 14 recites a method of filesystem management. The method includes determining which files a computer system will see based on system attributes. The

method also includes identifying file names by presenting the files the computer system will see. The method also includes generating links between the files names and real software locations of the files on a main filesystem the computer system will see and the identified file names links comprising a custom filesystem. The method also includes positioning the custom filesystem to take over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem.

Claim 15 recites a method of preparing a custom filesystem for a computer system. The method includes generating and storing a file of attributes for the computer system in a system configuration file. The method also includes processing the system configuration file. The method also includes reading all directories in a main filesystem to generate a search path. The method also includes traversing the search path and for each available software application, determining the system requires the system application, and if so, querying the system regarding a desired version of the software application. The method also includes adding the desired version of the software application to the custom filesystem. The method also includes positioning the custom filesystem to take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem.

Claim 16 recites a custom filesystem. The custom filesystem includes means for generating and storing a file of attributes for the computer system. The custom

filesystem also includes means for selecting required software applications from available software applications in a main filesystem, in accordance with the attributes. The custom filesystem also includes means for linking the selected software applications to the custom filesystem. The custom filesystem also includes means for positioning the custom filesystem to take priority over the main filesystem, and that a process manager will attempt to address requests on the custom filesystem prior to placing the request on the main filesystem.

Claim 17, upon which claims 18-23 are dependent, recites a method of operation for a custom filesystem on a computer system having a main filesystem. The method includes loading a consistent configuration file containing attributes of the computer system. The method also includes responding to receipt of a request to perform an operation by accessing the custom filesystem, the custom filesystem having been generated ahead of time by performing the steps of generating and storing a file of attributes for the computer system. The custom filesystem has been generated ahead of time by also performing the step of generating and storing a file of attributes for the computer system. The custom filesystem further is generated ahead of time by also performing the steps of selecting the required software applications from available software applications in accordance with the attributes. The custom filesystem also is generated ahead of time by performing the step of selecting the required software applications from available software applications in accordance with the attributes. The custom filesystem also is generated ahead of time by linking the selected software

applications to the custom filesystem. The custom filesystem also is generated ahead of time by positioning the custom filesystem to take priority over the main filesystem, in that a process manager will attempt to address requests on custom filesystem prior to balancing said requests on said main filesystem. The method also includes re-directing the requested operation to its corresponding real life location. The method also includes performing the requested operation with respect to the real life.

Claim 24 recites a method of operation for a custom filesystem on a computer system having a main filesystem. The method includes loading a system configuration file containing attributes of the computer system. The method also includes loading packages onto a custom pathname tree. The method includes responding to a request from the system by accessing the custom filesystem, the custom filesystem having been generated ahead of time by performing the steps of generating and storing a file of attributes for the computer system, selecting required software applications from available software applications in accordance with the attributes, linking the selected software applications to the custom filesystem, positioning the custom filesystem to take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem. The method also includes responding to a targeted file on the package filesystem being invalid by sending an error message to the end system. The method also includes responding to the state of the targeted file not being known by updating the state of the targeted file. The method also includes responding to the file having been spilled by

redirecting the request to a spilled location. The method also includes responding to the requests being a read request by re-directing the read request to a corresponding "real" file location and performing the read requests. The method also includes responding to the requests being a write request by marking the target file in the main root directory, creating the spillroot direction, and copying the target file to the spillroot location. The method also includes responding to the request being a stat request by accessing meta-data from package file location as required.

Claim 25 recites a carrier signal incorporating software code executable to perform a method. The method includes generating and storing a file of attributes for the computer system. The method also includes selecting required software applications from available software applications on a main filesystem, in accordance with the attributes. The method also includes linking the selected software applications to the custom filesystem. The method also includes positioning the custom filesystem to take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem.

Claim 26 recites a computer readable memory medium for storing software code executable to perform a method. The method includes generating and storing a file of attributes for a computer system. The method also includes selecting required software applications from available software applications on a main filesystem, in accordance with the attributes. The method also includes linking the selected software applications to the custom filesystem. The method also includes positioning the custom filesystem to

take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the request on the main filesystem.

Claim 27 recites a method of file management. The method includes displaying a custom filesystem in which file names are linked to real software file locations in accordance with a computer system's attributes. The custom filesystem has been generated ahead of time by performing the steps of generating and storing a file of attributes for the computer system, selecting required software applications from available software applications on a main filesystem, in accordance with the attributes, linking the selected software applications to the custom filesystem, and positioning the custom filesystem to take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem. The method also includes responding to an input of an instruction with respect to the customized filesystem by re-directing the instruction to the real software file location.

Claim 28 recites a computer system. The computer system includes a central processing unit, an input/output unit, and a memory. The central processing unit is controlled by an operating system. The operating system including a main filesystem for organizing and controlling access to files located on the memory, in a custom file system, the custom file system being operable to generate and store a file of attributes for the computer system, select required software applications for available software applications in accordance with the attributes, link the selected software applications to the custom

filesystem. The custom filesystem is positioned to take priority over the main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem.

As discussed in the present specification, the present invention enables a process manager to attempt to address requests on a custom file system prior to placing the requests on the main filesystem. Thus, a custom filesystem is prepared for a computer system, which can then be laid over a main filesystem. Because the custom filesystem may be laid over a regular filesystem, all files ultimately can be viewed. It is respectfully submitted that the cited reference of *Chtchetkine* fails to disclose or suggest the elements of any of the presently pending claims. Therefore, *Chtchetkine* fails to provide the critical and unobvious advantages discussed above.

Chtchetkine relates to an installable file system having a virtual filesystem drive, a virtual device driver, and virtual disks. *Chtchetkine* describes a file mapping system that is laid over an existing filesystem. *Chtchetkine* also describes the file mapping system being able to be laid over at any time. *Chtchetkine* also describes a virtual filesystem that includes virtual files and folders correlated to native folders. Requests to open specified virtual files invoke the native filesystem driver to open the native files referenced by the virtual file for the specified virtual files. *Chtchetkine*, however, does not disclose or suggest a custom filesystem that acts dynamically, based on computer system attributes.

In contrast, the present invention discloses a custom hierarchical structure of files and folders, providing access to selected software applications based on a set of attributes

for a computer system, as recited, for example, in claim 1. Further, *Chtchetkine* does not disclose or suggest selecting required software applications from available software applications in accordance with attributes and positioning a custom file system to take priority over a main filesystem, in that a process manager will attempt to address requests on the custom filesystem prior to placing the requests on the main filesystem, as recited, for example, in claim 3. The custom filesystem of the present invention is customized in respect of the attributes of the computer system on which it is being used. Referring to claims 1 and 3, for example, it is recited that the custom filesystem is based on "attributes for said computer system." Applicants submit that *Chtchetkine* does not disclose or suggest at least these features of the presently pending claims. While *Chtchetkine* may describe different versions of software applications to be selected, these different versions do not have anything to do with the actual attributes of the computer system.

Applicants also submit that *Chtchetkine* does not disclose or suggest, as recited in claim 1, for example, the custom filesystem being positioned to have priority over the main filesystem. The Office Action concedes that *Chtchetkine* does not disclose or suggest a filesystem which allows the custom filesystem to take priority over the main filesystem, but alleges that such a feature would be obvious to one skilled in the art. Applicants submit that the Office Action has not provided any evidence of a motivation or suggestion to develop such a feature, either in the cited reference or in the knowledge generally available to one of ordinary skill in the art.

Applicants submit that *Chtchetkine* is not organized such that a flow through to the underlying main file system is possible. *Chtchetkine* describes a filesystem that is structured to prevent a user from seeing any of the applications on the underlying filesystem. The user of *Chtchetkine* would not know that software applications on the main filesystem exist, and the user would not have access to such files. Applicants also submit that *Chtchetkine* describes accessing only one filesystem at a time. In contrast, the presently pending claims describe access to both the custom and main file systems, thereby disclosing accessing two or more filesystems simultaneously.

Applicants submit that modifying *Chtchetkine* to achieve the claimed invention would require a complete re-structuring of the file system of *Chtchetkine*. For example, a request to access a file on a main filesystem according to *Chtchetkine* would cause an error. Applicants submit that modifying *Chtchetkine* would result in having to capture such errors, determine whether the requested file exists on the main filesystem, dispose of the original error message, and rationalize any differences between the custom filesystem and the main filesystem. Furthermore, *Chtchetkine* would have to determine whether the requested file is accessible by the computer system. This added functionality would result in additional resources and costs. Thus, applicants submit one skilled in the art would not be motivated to modify *Chtchetkine* to achieve the claimed invention.

According to MPEP §702.06(j), the Office Action must "support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the Examiner must present a

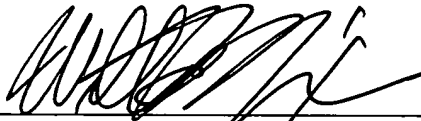
convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Applicant submits that *Chtchetkine* does not expressly or impliedly suggest all the features of the presently pending claims. Applicants also submit that a convincing line of reasoning has not been presented in the Office Action as there is no motivation to modify *Chtchetkine* to achieve the claimed invention. Therefore, applicants maintain that no evidence of a motivation or suggestion to modify the cited reference has been presented.

In view of the above, applicants respectfully submit that claims 1-28 each recite subject matter that is neither disclosed nor suggested by *Chtchetkine*. Applicants respectfully request that the Examiner withdraw the obviousness rejection of the claims. It is therefore respectfully requested that all of the claims 1-28 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



William F. Nixon
Registration No. 44,262

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

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Enclosures: Replacement Drawings (8 sheets)
Petition for Extension of Time